

Side-by-Side Comparison of House/Senate Stimulus Bills

| Provision | House Bill (H.R. 1) | Senate Bill (S. 336) |
|---------------------------------------|---|---|
| GENERAL PROVISIONS | | |
| Relationship to Other Approps. | No effect on FY 2009 appropriations levels (Public Law 110-329). (Sec. 1101) | Amounts appropriated are in addition to amounts otherwise appropriated for the fiscal year involved. Have no effect on FY 2009 CR levels. (Sec. 1603) |
| Quick Start | Preference shall be given to activities started quickly including a goal of using at least 50% of funds on projects that can begin within 120 days after enactment. Max job creation and economic benefit. (Sec. 1102) | Priority for funding shall be allocated to projects that are ready to proceed to construction within 180 days of enactment. <i>(in SRF section)</i> |
| Timely Award | Formula grants shall be awarded not later than 30 days after date of enactment or funds become available. (Sec. 1103) | |
| Use or Lose Funds | Recipients shall enter into contracts or binding commitments within 1 year of enactment of Act for 50% of funds awarded (or 9 months after award) and within 2 years of Act for all remaining funds. Agency shall recover or deobligate uncommitted funds and redistribute to other eligible grantees who can make binding commitments within 120 days of reallocation. (Sec. 1104) | Administrator may reallocate funds appropriated herein that are not under binding commitments to proceed to construction within 180 days of enactment. <i>(in SRF section)</i> |
| Period of Availability | Remain available for obligation until Sept. 30, 2010, unless expressed otherwise in Act. (Sec. 1105) | No part of any appropriation shall remain available for obligation beyond the current fiscal year unless expressly so provided herein (Sec. 1602) |
| Management Set-aside | 0.5% for management – goes to Agencies. (Sec. 1106) <i>(overridden in SRF section)</i> | |

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| IG Approps. | EPA IG -- \$20 million (Sec. 1107) | |
| Prohibited Uses | No casino or gambling establishment, aquarium, zoo, golf course, or swimming pool. (Sec. 1109) | |
| Use of American Iron and Steel | All projects must use American made steel, unless insufficient quantities and/or increases overall project cost by more than 25%. (Sec. 1110) | All projects for public buildings or public works (as defined in 41USC 10c) must use iron, steel, and manufactured goods produced in the U.S. Has waiver allowances (e.g., if not available, if increase cost of project more than 25%). (Sec. 1604) |
| Wage Rate Requirement | Wages not less than those prevailing ... subchapter IV of chapter 31 of title 40, USC. (Sec. 1111) | |
| Appropriate Use of Funds | No funds to Illinois unless (1) use of funds approved in leg. Enacted after this Act or (2) Blagojevich is no longer in Governor's Office. (Sec. 1112) | State or local agency cannot receive funding unless certify that the infrastructure investment has received full review and vetting required by law and that the chief executive accepts responsibility that the investment is an appropriate use of taxpayer dollars. (Sec. 1605) |
| Persistent Poverty Counties | USDA only. (Sec. 1113) | |
| E-Verify Immigration | No funds available in this Act may be used to enter into contract with an entity that does not participate in the E-verify program in section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 USC 1324a note). (Sec. 1114) | |
| Accountability | Sets up an accountability framework. Agency must post on Recovery.gov a plan for using funds as well as notification of any allocations and grant awards. Federal, state, and local agency must also post information. (Sec. 1201) | Sets up an Accountability board. Includes a website that will have information on funding, but no specific requirements about who enters info. (Sec. 1519) |

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| CWSRF SPECIFIC | | |
| Page | P. 155-156 (Title VIII) | P 117-119 (Title VII) |
| Funding | \$6.0 Billion for CWSRF | \$ 4.0 Billion for CWSRF |
| State Match | Not required | Not required |
| Administration by EPA | Up to 2% off the top | Up to 0.25% off the top |
| Tribes (518 c) | Up to 1.5% off the top | Up to 1.5% off top |
| 604(b) | <i>Not stated – presume CWA applies.</i> | <i>Not stated – presume CWA applies.</i> |
| Davis Bacon | See Section 1111 (Applies) | |
| Subsidy | 50% of cap grant shall be used for “additional subsidization,” including forgiveness of principal, negative interest loans and grants, to municipalities – for projects on the state’s priority lists. | Financial assistance from appropriated funds may include additional subsidization, including forgiveness of principle and negative interest rate loans. |
| Targeted Uses of Fund | <ul style="list-style-type: none"> - 80% of the additional subsidization (i.e., 40% of cap grant) shall be for projects to benefit municipalities that meet affordability criteria as determined by Governor. - 20% of the additional subsidization (i.e., 10% of cap grant) shall be for projects to address water-efficiency goals, address energy efficient goals, mitigate stormwater runoff, or encourage environmentally sensitive project planning, design and construction, to the extent there are projects eligible for such assistance. | Not less than 15% of the funds appropriated shall be designated for green infrastructure, water efficiency improvements or other environmentally innovative projects. |

| Provision | House Bill (H.R. 1) | Senate Bill (S. 336) |
|------------------------------|---|--|
| DWSRF SPECIFIC | | |
| Pages | P.156-157 (Title VIII) | P. 117-119 (Title VII) |
| Funding | \$2.0 billion for DWSRF | \$2.0 billion for DWSRF |
| State Match | Not required. | Not required. <i>Also presume no match for 1452g.</i> |
| Administration by EPA | Up to 2% off the top | Up to 0.25% off the top |
| Limitations | 1452(k) does not apply (no funds available for this one set-aside). | 1452(k) does not apply (no funds available for this one set-aside). |
| Tribes | <i>Not stated. Presume use 1.5% per SDWA</i> | <i>Not stated. Presume use 1.5% per SDWA</i> |
| Davis Bacon | See Section 1111 (Applies) | |
| Subsidy | 50% of cap grant shall be used for “additional subsidization,” including forgiveness of principal, negative interest loans and grants, to municipalities – for projects on the state’s priority lists. | |
| Targeted Uses of Fund | | Not less than 15% of the funds appropriated shall be designated for green infrastructure, water efficiency improvements or other environmentally innovative projects. |